

Absent—Excused

Blanchard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Blanchard

**Motion to Place
House Concurrent Resolution 37
on Second Reading**

The President laid before the Senate the following resolution:

H. C. R. No. 37, Adopting the Permanent Joint Rules of the Senate and the House.

The resolution was read.

Senator Calhoun asked unanimous consent to suspend the regular order of business and take up H. C. R. No. 37 for consideration at this time.

There was objection.

Senator Calhoun then moved to suspend the regular order of business and take up H. C. R. No. 37 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Bates	Hall
Calhoun	Hazlewood
Cole	Herring
Creighton	Hightower

Kennard	Ratliff
Krueger	Richter
Moore	Spears
Parkhouse	Strong
Patman	Watson

Nays—12

Aikin	Kazen
Colson	Reagan
Crump	Rogers
Dies	Schwartz
Hardeman	Snelson
Harrington	Word

Absent—Excused

Blanchard

The resolution was then referred to the Committee on Rules.

Memorial Resolutions

S. R. No. 122—By Senator Watson: Memorial resolution for H. A. Bruyere, Sr.

S. R. No. 123—By Senator Watson: Memorial resolution for William Glenn Rucker, Sr.

S. R. No. 127—By Senator Watson: Memorial Resolution for Robert Walker.

S. R. No. 128—By Senator Watson: Memorial resolution for Kennon Lowe.

Welcome Resolutions

S. R. No. 120—By Senator Word: Extending welcome to Members and sponsors of Explorer Post No. 50, Boy Scouts of America of Stephenville.

S. R. No. 124—By Senator Watson: Extending welcome to members and et al. of Waco.

Adjournment

On motion of Senator Aikin the Senate at 12:37 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

NINETEENTH DAY

(Wednesday, February 17, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Cole submitted the following reports:

Austin, Texas,
February 16, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 196, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Vice-Chairman.

Austin, Texas,
February 16, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 195, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Vice-Chairman.

Austin, Texas,
February 16, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insur-

ance, to which was referred S. B. No. 183, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Vice-Chairman.

Senator Herring submitted the following reports:

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 83, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 99, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 100, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 80, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 88, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 82, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 34, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 58, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Senator Reagan submitted the following report:

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B.

No. 201, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 35, Commending Douglas L. Harwell and Mrs. Frank L. Stockton for their heroic actions in saving the life of Franklin Floyd Stockton.

S. C. R. No. 9, Continuing Water Pollution Study, extending over the entire State of Texas.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 265, A bill to be entitled "An Act authorizing Independent School Districts, subject to rules and regulations adopted by the Central Education Agency to conduct vocational classes and other educational programs for students of all ages and to expend local maintenance funds for the cost thereof; authorizing Independent School Districts, subject to the rules, regulations and approval by the Central Education Agency, to lease real or personal property and enter into contracts for the purposes of conducting vocational classes and other educational programs; providing a savings clause; and declaring an emergency."

To the Committee on Education.

By Senator Parkhouse:

S. B. No. 266, A bill to be entitled "An Act to amend Paragraphs or Sections 4, 5, 6, 7, 8 and 10 of Subdivision A, Part I of Article 3.39 of the Insurance Code to authorize investment by a life insurance company in certain securities; to amend Paragraph or Section 15 of said Subdivision A, Part I of Article 3.39 of the Insurance Code to authorize

investments by a life insurance company in securities not otherwise specified or qualified by Chapter 3 of the Insurance Code; to amend Paragraph or Section 3 of Subdivision C, Part I of Article 3.39 of the Insurance Code relating to limitations on investments by a life insurance company in capital stock of corporations; to amend Paragraph or Section 1 of Subdivision B, Part II of Article 3.39 of the Insurance Code relating to investment by a life insurance company in certain securities issued by certain types of corporations; repealing conflicting laws and parts of laws to the extent of such conflict; providing for severability; and declaring an emergency."

To the Committee on Insurance.

By Senator Hazlewood:

S. B. No. 267, A bill to be entitled "An Act amending Chapter 64, p. 93, of the Acts of the 50th Legislature, 1947, being codified as Art. 6077j of the Vernon's Civil Statutes of the State of Texas, Annotated, by adding a new section thereto relating to the charging of gate or entrance fees and the disposition thereof; providing a repealing clause, a saving clause, and declaring an emergency."

To the Committee on State Affairs.

By Senator Bates:

S. B. No. 268, A bill to be entitled "An Act creating Cameron County Conservation and Reclamation District, consisting of that part of the State of Texas which is known as and included within the boundaries of Cameron County, Texas; defining the powers of the District; designating the Commissioners Court as the governing body of such District and defining the powers of such Court in connection therewith; providing that State laws applicable to contracts and accounting for funds shall apply to such District; making the Act cumulative of other laws; providing for the use of public property by the District; granting the right of eminent domain; providing laws relating to assessing and collecting of State and County current and delinquent taxes shall apply to said District; defining the duties of the various officials of Cameron County; finding that District is created to serve a public use and benefit; providing that no confirmation election and no exclusion hearing shall be necessary; providing that no hearing

shall be held to determine the plan of taxation; adopting the ad valorem plan of taxation for the District; providing District shall bear expense of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by the exercise of the power of eminent domain; providing for an election to authorize the issuance of bonds of said District; providing for the issuance of bonds and the manner and form thereof and the procedure in connection with the issuance, registration and approval thereof; providing for the issuance of refunding bonds of the District; providing for legality, validity, and incontestability of the bonds and refunding bonds; granting to the District the authority, in cooperation with the Republic of Mexico to construct a dam at or near the mouth of the Rio Grande River for the purpose of preventing salt water from the Gulf of Mexico from entering such River, and providing that the District may enter into such agreement or agreements with the Republic of Mexico, the State of Texas and the United States of America, or any of their agencies, as the Commissioners Court may deem advisable; providing that the District may be designated by the State of Texas or the United States of America, or any agency of either, to act for and on behalf of other districts, political subdivisions, and cities, to coordinate and distribute any water which may be made available to the area included within the District from any source or sources; finding that all the requirements and provisions of Article XVI, Section 59 (d) of the Constitution of the State of Texas have been fulfilled and accomplished with reference to the giving of the proper and legal notice of intention to introduce this Act; providing for a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Reagan:

S. B. No. 269, A bill to be entitled "An Act to amend Article 5473 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1929, 41st Legislature, Chapter 223, Section 1, page 477, and Acts 1957, 55th Legislature, Regular Session, Chapter 231, Section 1, page 482; to provide that liens attaching to oil and gas and mineral

property and machinery, buildings, appurtenances thereto used in the operation thereof on behalf of suppliers of materials and services to the owner or operator of such properties attach also to the oil and gas produced therefrom and the proceeds from the sale thereof and to constitute the operator of such property the agent of the owner or owners thereof for the purposes of this Chapter; and adding a new Article providing that the lien against the proceeds from the sale of oil or gas will be ineffective against the purchaser thereof until notice as therein provided is given to such purchaser; and declaring an emergency."

To the Committee on Oil and Gas.

By Senator Hightower:

S. B. No. 270, A bill to be entitled "An Act amending Article 2226, Revised Civil Statutes of Texas, as amended by Acts of the 53rd Legislature, Regular Session, 1953, p. 101, ch. 67, enlarging the scope of the present Article 2226 so as to include the recovery of attorneys' fees in suits for claims for advertising in newspapers or other media, and authorizing firms and corporations to recover attorneys' fees under the provisions of Article 2226; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Word:

S. B. No. 271, A bill to be entitled "An Act creating a juvenile board for Bosque County, Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Word:

S. B. No. 272, A bill to be entitled "An Act creating a juvenile board for Comanche County, Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Word:

S. B. No. 273, A bill to be entitled "An Act to increase the additional compensation allowed county and district judges for service on the Hamilton County Juvenile Board; amending Section 2, Chapter 207, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Word:

S. B. No. 274, A bill to be entitled "An Act creating a juvenile board for Coryell County, Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Moore:

S. B. No. 275, A bill to be entitled "An Act relating to findings required to be made by the savings and loan commissioner before approving a savings and loan charter application; amending Section 2.08, Texas Savings and Loan Act; and declaring an emergency."

To the Committee on Banking.

By Senator Blanchard:

S. B. No. 276, A bill to be entitled "An Act amending Articles 1369-1.01 through 11.01 of Vernon's Texas Civil Statutes and specifically amending Articles 1396-7.01, 7.02, 8.15 and 9.02, Chapter 162, Acts Fifty-Sixth Legislature, Regular Session, 1959, so as to provide a method for the administrative forfeiture of charters of Non-Profit Corporations upon the failure of such corporations to file certain reports required to be filed by the Texas Non-Profit Corporation Act; providing for severability; providing a repealing clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 277, A bill to be entitled "An Act to amend Article 3.39, Insurance Code of Texas (Acts 1951, 52nd Legislature, Chapter 491), as amended, by adding thereto a new Part III, designated Separate Accounts; to provide thereby for the establishment and allocation of funds by life insurance companies to one or more separate accounts; to provide for the investment of amounts allocated to separate accounts and accumulations thereon; to provide for the segregation of income gains and losses on each account; to provide for the valuation of assets allocated to a separate account; to declare ownership of amounts allocated to a separate account; to prohibit transferability of investments between separate accounts and other accounts unless specifically authorized; to provide for the payment of benefits in variable amounts under certain condi-

tions and contracts and only by companies duly authorized by the State Board of Insurance; to provide that nothing contained in this Act shall be deemed to authorize variable annuity contracts other than group annuity contracts meeting the requirements of this Act; to authorize the State Board of Insurance to issue such rules and regulations as may be necessary to carry out the purpose of this Act; to declare the provisions of this Act to be severable; and declaring an emergency."

To the Committee on Insurance.

By Senator Spears:

S. B. No. 278, A bill to be entitled "An Act creating the County Court at Law No. 4, of Bexar County, Texas; providing for its jurisdiction, terms, personnel, administration, and practice; abolishing the County Civil Court at Law of Bexar County, Texas; repealing Chapter 114, Acts of the 58th Legislature, 1963; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Schwartz:

S. B. No. 279, A bill to be entitled "An Act relating to alligators in Chambers County; amending Sections 1 and 2, Chapter 144, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Schwartz:

S. B. No. 280, A bill to be entitled "An Act amending Subsections (b) and (e), Section 47, Texas Probate Code relating to the distribution of community property and the proceeds from certain insurance policies in the case of simultaneous death; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Schwartz:

S. B. No. 281, A bill to be entitled "An Act relating to deer in Chambers County; amending Sections 1 and 2, Chapter 143, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Schwartz:

S. B. No. 282, A bill to be entitled "An Act creating and establishing a Department of Labor of the State of Texas and transferring to that Department duties and functions of the Bureau of Labor Statistics and its Commissioner, and making provisions for the assumption of such duties and responsibilities by the Commissioner of the Department and creating divisions within the Department to administer and enforce existing laws as specified; transferring certain powers, duties and functions heretofore vested in the Commissioner of the Bureau of Labor Statistics by Articles 5677, 5678 and 5679 to the Commissioner of Agriculture; repealing conflicting laws; providing severability; establishing an effective date of the Act; and declaring an emergency."

To the Committee on State Affairs.

By Senator Creighton:

S. B. No. 283, A bill to be entitled "An Act authorizing creation of the Parker County Hospital District; providing that the District shall assume the outstanding debt of Parker County incurred for hospital purposes and any outstanding debt incurred by any city or town within said County for such purpose; providing for an election within the area of the proposed hospital district and making certain findings in connection therewith; providing for the levy of a tax for the District for the purpose of maintaining and operating the District, paying any indebtedness assumed or issued by the District; providing for the issuance of bonds by the District for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes, and for any and all such purposes and for refunding bonds and prescribing limitations on such power; providing bonds issued or assumed by the District shall be lawful investments and collateral for certain funds; providing for the appointment of a governing body of such hospital district, their tenure of office and powers and duties of such governing body; imposing certain duties upon the County Tax Assessor-Collector, the County and District Attorney or Criminal District Attorney and the Commissioners Court of Parker County; prescribing a procedure for the adoption of a budget, the selection of

a depository and the power of eminent domain which power is conferred upon the District; prescribing a fiscal year; withdrawing authority for the sale of bonds for hospital purposes within the District by any city, town or by Parker County and restricting their power of taxation for hospital purposes and restricting the power to levy taxes for the care of indigents under certain circumstances; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Richter:

S. J. R. No. 30, Proposing an amendment to Article XIV of the Constitution of the State of Texas, by adding thereto a new Section authorizing the Legislature to permit the producers of any agricultural commodity to develop, carrying out, and participate in, programs of research, education, and promotion, designed to encourage the production, marketing and use of such commodity; authorizing the Legislature to permit the producers of any agricultural commodity to levy an assessment upon themselves, to finance the purposes herein stated; limiting the amount of such assessment; providing for termination of such assessment; and further providing for refund of such assessment.

To the Committee on Constitutional Amendments.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 65, A bill to be entitled "An Act providing for the creation of a county-wide hospital district in Wilbarger County; etc., and declaring an emergency."

(With amendments.)

H. B. No. 1, A bill to be entitled "An Act amending Chapter 487, Acts of the 54th Legislature, Regular Session 1955; (codified as Article 2919e,

Vernon's R. C. S.) reconstituting the Texas Commission on Higher Education as the Coordinating Board, Texas College and University System; providing for appointment of its members and their terms of office; providing for filling vacancies in its membership; providing for expenses of members; prescribing time and place of meetings; providing for rules and regulations for the transaction of its business; providing for hearings before the Board; authorizing employment of personnel and prescribing the qualifications of the Commissioner; providing for advisory committees; prescribing the purpose, duties and functions of the Board; imposing certain duties on all public institutions of higher learning and other State agencies; providing for reports to the Governor and to the Legislature; repealing Chapter 160, Acts of the 56th Legislature, Regular Session, 1959, (codified as Article 2815k-2, Vernon's R. C. S.) and transferring administration of the Public Junior Colleges from the Central Education Agency to the Coordinating Board herein established; repealing the provisions of Chapter 488, Acts of the 56th Legislature, Regular Session, 1959, (codified as Article 2919e-2, Vernon's R. C. S.) and all other laws or parts of laws inconsistent with the provisions of this Act; providing a severability clause, and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act amending Article 1034, Penal Code of Texas, 1925, as amended, to clarify the territory in the state subject to certain provisions of the Article and to provide that the performing or failing to perform any act, which act or failure is in accordance with the rules and regulations promulgated by the Commissioner of Agriculture, shall constitute a complete defense to any alleged violation thereunder; and declaring an emergency."

H. C. R. No. 39, Congratulating the San Antonio Express and News for their outstanding work on HemisFair in 1968.

H. C. R. No. 41, Providing for a Joint Session at 10:15 a.m. on 22 Feb. 1965.

S. C. R. No. 7, Providing for the redesignation and continued opera-

tion of the Texas Surplus Property Agency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Resolution 129

Senator Hardeman offered the following resolution:

Whereas, It is in the Texas tradition of pride in heritage that the citizens of Winters are this year celebrating the city's 75th Anniversary, a tribute to the early settlers who braved frontier hardships in moving the boundaries of civilization farther west; and

Whereas, Winters is situated in the northern part of Runnels County, founded in 1858, where marauding Comanches made early settlement hazardous, and where, even during the Civil War period, this western frontier was unprotected and virtually uninhabitable; and

Whereas, J. N. Winters, a land agent from Fort Worth, gave lots to be used within the townsite for public buildings in 1889, and the next year, by election, the city was named Winters in appreciation of his gift; and

Whereas, First settlers arrived in the community some ten years earlier, in 1880, and the city was officially incorporated in 1909, but the date the city claimed its name is that chosen by Winters' citizens as its founding date; and

Whereas, Winters has enjoyed great prosperity almost from its founding, with the exception of the depression decade of the 1930's, and population has increased with each new census, a situation almost unique among small towns of Texas dependent upon farm trade for a livelihood; and

Whereas, The enterprise of citizens in providing new jobs on the strength of homegrown industries, as jobs in agriculture diminished, is indicative of the spirit of endeavor which has marked the people of that area since pioneer times; and

Whereas, The Senate of the State of Texas wishes to recognize the 75th Anniversary of Winters and to express its appreciation for the public-spirited citizens of that city who have planned this celebration to perpetuate a part of their Texas heritage; now, therefore, be it

Resolved, That the congratulations of the Senate of the 59th Legislature are extended to the people of Winters, Runnels County, Texas, as they celebrate the 75th Anniversary of their city; and be it further

Resolved, That a copy of this Resolution under the Seal of the Senate of Texas be forwarded to the Mayor of the City of Winters, to the County Judge of Runnels County and to the President of the Chamber of Commerce of Winters, as a token of the good wishes of the Senate for a successful diamond anniversary celebration.

The resolution was read and was adopted.

Senate Concurrent Resolution 36

Senator Hardeman offered the following resolution:

S. C. R. No. 36, Concerning renovation and conservation of portraits of former Governors of State.

Whereas, The Portraits of the various Governors of the State displayed on the walls of the rotunda of the Capitol, on the various floors thereof, are a part of the priceless heritage of our State and deserving of preservation, conservation and protection; and

Whereas, Examination of some of such portraits reveals the need for renovation, conservation, exchange or replacement of various portraits which should be accomplished with all deliberate speed to preserve this feature of heritage; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Board of Control or other appropriate agency of the State or official custodian thereof be and it or they are hereby authorized and directed to immediately initiate and effectuate a program of conservation, renovation or replacement, when in the discretion of the Board of Control or other appropriate agency aforesaid or official custodian may be deemed necessary that the portrait collection may be properly preserved to posterity.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 130

Senator Hightower offered the following resolution:

Whereas, The Texas Senate takes cognizance of the priceless worth of Steven Brown, a young man of valor and spirit; and

Whereas, This thirteen-year-old Vernon, Texas, First Class Boy Scout has been awarded a Certificate of Merit by the National Boy Scout Court of Honor for applying a tourniquet to save the life of an injured boy; and

Whereas, Troop 130 and the Northwest Texas Area Council were recently congratulated by the National Boy Scout Court of Honor with a Certificate of Merit. Such certificate is a signal honor seldom bestowed and was presented "in recognition of meritorious action" and for his "demonstration of Scout training, Scout character and Scout ideals"; and

Whereas, District Judge Tom Davis presented this coveted award in Vernon at First Methodist Church services witnessed by Steven Brown's proud parents, Mr. and Mrs. R. D. Brown, Scoutmaster James E. Thomas, Scout Executive Lowell Longley, Central District Chairman C. A. Deuschle, Dr. H. Doyle Ragle, pastor, and Boy Scout members and leaders of the Northwest Texas Area; and

Whereas, The Senate wishes to join in expressing pride and admiration in this wonderful young American; now, therefore, be it further

Resolved, That the Texas Senate of the 59th Legislature pays tribute to the bravery, skill and fortitude of Steven Brown; and be it further

Resolved, That a copy of this Resolution be sent to Steven Brown, his parents, and the Northwest Texas Area Council of the Boy Scouts of America, with our congratulations for national recognition of his demonstration of Scout character and ideals, and with our everlasting and humble respect for his meritorious action.

The resolution was read and was adopted.

Senate Bill 99 Ordered Not Printed

On motion of Senator Bates and by unanimous consent S. B. No. 99 was ordered not printed.

Senate Bill 100 Ordered Not Printed

On motion of Senator Bates and by

unanimous consent S. B. No. 100 was ordered not printed.

Senate Bill 52 on Second Reading

Senator Bates moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 52 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Nays—1

Hardeman

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 52, A bill to be entitled "An Act abolishing Regional College Districts which have conveyed all or substantially all of their property to a State-supported Senior College or University, and which have no outstanding bonded indebtedness; providing for the continued collection and disposition of delinquent taxes in said Regional College Districts; repealing all laws and parts of laws in conflict herewith; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 52 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Nays—1

Hardeman

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Nays—1

Hardeman

Reports of Standing Committee

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
February 17, 1965.

Honorable Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 278, have had the same under consideration, and we are

instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,
February 17, 1965.

Honorable Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 125, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senate Bill 125 Ordered Not Printed

On motion of Senator Spears and by unanimous consent S. B. No. 125 was ordered not printed.

Senate Bill 278 Ordered Not Printed

On motion of Senator Spears and by unanimous consent S. B. No. 278 was ordered not printed.

Senate Bill 132 on Second Reading

Senator Watson moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 132 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Nays—1

Hardeman

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 132, A bill to be entitled "An Act authorizing the Parks and Wildlife Commission to quitclaim the state's interest in Independence State Park, known as the Old Baylor property, to Baylor University; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 132 to engrossment.

Senate Bill 132 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 132 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Nays—1

Hardeman

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 132.

House Concurrent Resolution 41 on Second Reading

On motion of Senator Parkhouse

and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 41, Providing Joint Session on February 22, 1965, at 10:15 o'clock a.m. for the purpose of observing George Washington's Birthday and receiving Portrait of George Washington.

The resolution was read and was adopted.

House Bill on First Reading

The following bill received from the House was read the first time and referred to the Committee indicated:

H. B. No. 99, To the Committee on Agriculture and Livestock.

Senate Bill 228 on Second Reading

Senator Watson moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 228 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 228, A bill to be entitled "An Act relating to the compensation of the judge of county court-at-law of McLennan County; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 228 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 228 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Dies asked to be recorded as voting "Nay" on the final passage of S. B. No. 228.

Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,

February 17, 1965.

Honorable Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 283, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senate Bill 283 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent S. B. No. 283 was ordered not printed.

Senate Bill 227 on Second Reading

Senator Watson moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 227 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 227, A bill to be entitled "An Act relating to the compensation of the county judge of McLennan County; and declaring an emergency."

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Amend S. B. No. 227 by striking out all below enacting clause and substitute in lieu thereof the following:

Section 1. (a) The commissioners court of any county in this state which has, according to the last preceding federal census, more than 141,000 persons but less than 152,000 persons, may supplement the compensation of the county judge of such county. However, the total annual compensation paid or authorized to be paid from whatever source to the judge may not exceed \$14,000.

(b) The supplemental compensation authorized by this section is in addition to all other compensation now paid or authorized to be paid to the judge.

Sec. 2. The importance of this leg-

isolation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Watson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 227 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 227 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 97, A bill to be entitled "An Act creating the Commission on Organization of the Executive Branch of the Government and providing for its powers, duties and procedures; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Bill 186 on Second Reading

Senator Herring moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 186 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 186, A bill to be entitled "An Act authorizing the payment of reasonable fees and charges to The University of Texas for services rendered by members of the staff of said University to the Texas Highway Department and for equipment and materials necessary for research and experimentation in all phases of highway activity, economics, materials, specifications, designs of roadways, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 186 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 186 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Senate Bill 278 on Second Reading

Senator Spears moved that Senate Rules 13, 116, 32 and 38 and Section 5 of Article III of the State Constitution and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 278 be placed on its second reading and passage to engross-

ment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 278, A bill to be entitled "An Act creating the County Court at Law No. 4, of Bexar County, Texas; providing for its jurisdiction, terms, personnel, administration, and practice; abolishing the County Civil Court at Law of Bexar County, Texas; repealing Chapter 114, Acts of the 58th Legislature, 1963; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 278 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 278 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Hazlewood
Bates	Herring
Blanchard	Hightower
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moore
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter

Rogers	Strong
Schwartz	Watson
Snelson	Word
Spears	

Senate Bill 125 on Second Reading

Senator Spears moved that Senate Rules 116, 38 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 125 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 125, A bill to be entitled "An Act authorizing boards of trustees of any independent school district located in a county having a population of between six hundred fifty thousand (650,000) and seven hundred fifty thousand (750,000), according to the last preceding Federal Census to make expenditures from local school funds of the district for the evaluation, counseling, and/or treatment of emotionally disturbed children; defining the term "emotionally disturbed children"; setting forth the power and authority of the board of trustees to make such expenditures and to contract for services rendered by nonprofit corporations; providing that the Act shall be cumulative of all laws of this state relating to the purpose for which public school funds may be expended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 125 on Third Reading

Senator Spears moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 271, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 274, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 273, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 272, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,
February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred H. B. No. 99, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ROGERS, Chairman.

Senate Bill 283 on Second Reading

Senator Creighton moved that Senate Rules 13, 116, 32 and 38 and Section 5 of Article III, the State Constitution and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 283 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin

Bates

Blanchard
Calhoun
Cole
Colson
Creighton
Crump
Dies
Hall
Hardeman
Harrington
Hazlewood
Herring
Hightower
Kazen
Kennard

Krueger
Moore
Parkhouse
Patman
Ratliff
Reagan
Richter
Rogers
Schwartz
Snelson
Spears
Strong
Watson
Word

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 283, A bill to be entitled "An Act creating Parker County Hospital District, etc., and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 283 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 283 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Senate Bill 65 with House Amendment

Senator Hightower called S. B. No. 65 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amend S. B. 65, page 7, lines 3 and 4 by inserting the word "Fifty" prior to the word cents in line 3 and the figure ".50¢" in line 4.

The House amendment was read.

Senator Hightower moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Memorial Resolutions

S. R. No. 131—By Senator Watson: Memorial resolution for Cassius C. Carley.

S. R. No. 132—By Senator Watson: Memorial resolution for C. A. Nabors.

S. R. No. 133—By Senator Watson: Memorial resolution for Earl Akins.

Congratulatory and Welcome Resolutions

S. R. No. 134—By Senator Watson: Extending congratulations and commending "Projection 68" of Baylor University.

S. R. No. 135—By Senator Watson: Extending congratulations to "The Capitol Beacon" and its publisher.

S. R. No. 136—By Senator Watson: Extending welcome to students, teacher and sponsor of Holland Independent School District.

S. R. No. 137—By Senator Word: Extending welcome to Wm. P. Davis and Jack Hightower of Waxahachie.

Adjournment

On motion of Senator Hardeman the Senate at 11:32 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

Wednesday, February 17, 1965
S. C. R. No. 9.

TWENTIETH DAY

(Thursday, February 18, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Reagan.